

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THE TRUSTEES OF OREGON SHEET
METAL WORKERS' MASTER
RETIREMENT TRUST, SHEET METAL
WORKERS #16 HEALTH TRUST, &
SHEET METAL TRAINING FUND,

No. 3:24-cv-00059-AR

OPINION AND ORDER

Plaintiffs,

v.

NORTHWEST REFRIGERATION
SERVICES, LLC,

Defendant.

BAGGIO, District Judge:

I. INTRODUCTION

On March 21, 2025, Magistrate Judge Jeff Armistead issued his Findings and Recommendation (“F&R”, ECF 26), recommending that the Court GRANT Plaintiffs’ Motion for Default Judgment (ECF 20) but reduce the amount of damages awarded. On March 28, 2025, Plaintiffs filed a “Notice of Non-Objection re Findings & Recommendation.” (ECF 28). Defendant Northwest Refrigeration Services, LLC did not file objections.

II. DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. §§ 636(b)(1)(B), (C). If a party objects, the court “shall make a

de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

III. CONCLUSION

Upon review, the Court agrees with Judge Armistead’s recommendation and ADOPTS the F&R [26] in full. Plaintiffs have demonstrated they are entitled to default judgment against Defendant and an award of \$166,518.11 in damages (\$144,952.16 for damages on Claim 1, \$14,295.95 for damages on Claim 2, \$6,520 in attorney fees for attorney and paralegal work, and \$750 in costs).

IT IS SO ORDERED.

DATED this 21st day of April, 2025.

Amy M. Baggio

 AMY M. BAGGIO
 United States District Judge